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UNITED STATES DISTRICT COURT  
TERRITORY OF GUAM

FILED  
DISTRICT COURT OF GUAM  
FEB 26 2003

MARY L. M. MORAN  
CLERK OF COURT

7

GLENN A. LANGDALE-HUNT

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

CIVIL CASE NO. 02-00017

STIPULATION TO REVISE  
THE SCHEDULING ORDER

Now come the parties and stipulate to a revision of the previously approved scheduling order. Plaintiff's counsel's office was destroyed as a result of Typhoon PONGSONGA. PLAINTIFF anticipates having new office space completed by March 2003. Do to the damage to plaintiff's offices the parties have been unable to complete discovery in this matter. The parties stipulate to a revision of the scheduling order approved by the Court on August 29, 2002 in the following manner:

1. The nature of the case is as follows:

Motor vehicle personal injury

2. The posture of this case is as follows:

- 1           a.     The following motions are on file:   **None.**
- 2           b.     The following motions have been resolved: **None.**
- 3           c.     The following discovery has been initiated: **None.**
- 4

5           3.     All motions to add parties and claims shall be filed on or before: **June 1, 2003..**

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7           4.     All motions to amend pleadings shall be filed on or before: **June 1, 2003.**

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9           5.     The discovery cut-off date (defined as the last date to file responses to discovery)

10 is: **May 23, 2003.**

11

12           6. a). The anticipated discovery motions are: **None at this time.**

13                   All discovery motions shall be filed **on or before June 1, 2003, and heard on or**

14 **before July 1, 2003.**

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16           b).    The anticipated dispositive motions are:

17                   The United States intends to file a motion for summary judgment to establish that Guam

18 discharged a pollutant from point sources into waters of the United States, and that Guam

19 violated an administrative order issued by EPA. Based on these violations of the Clean Water

20 Act, the United States will also establish that Guam is liable for civil penalties and injunctive

21 relief under the Act.

22                   All dispositive motions shall be filed on or before **June 16, 2003, and heard on or**

23 **before July25, 2003.**

24

25           7.     The prospects for settlement are: the parties have agreed to meet and discuss

26 settlement after 1 MARCH 2003, the date plaintiff counsel anticipates to be

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1 relocated to new offices.

2  
3 8. The Preliminary Pretrial Conference shall be held on the **1 st day of August 2003,**  
4 **at 3:00 p.m..**

5  
6 9. The parties' pretrial materials, discovery materials, witness lists, designations, and  
7 exhibit lists shall be **filed on or before August 1, 2003.** Any objections under **Fed. R. Civ. P.**  
8 **26(a)(3) shall be filed on or before August 15 , 2003.**

9  
10 10. The Proposed Pretrial Order shall be filed on or before **September 2 , 2003.**

11  
12 11. The Final Pretrial Conference shall be held on the **5 September , 2003, at 3:00**  
13 **p.m..**

14  
15 12. The trial shall be held on **September 16 2003 at 9:30 a.m.**

16  
17 13. None of the parties to this case have demanded a jury trial as of this date.  
18 However, if a jury trial is available under the law, then the Government of Guam reserves its  
19 right to demand one within the time limits permitted by the Federal Rules of Evidence.

20  
21 14. It is anticipated that it will take one to three (1 to 3) days to try this case.

22  
23 15. The names of counsel on this case are:

24 United States: Edward J. Lynch , Special Assistant U.S. Attorney

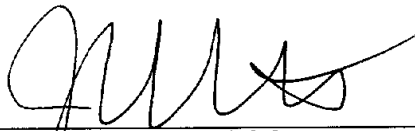
25 Attorney for Plaintiff Glenn A. Langdale-Hunt: **A. Alexander Gorman, esq.**

26  
27 16. The parties wish to submit this case to a settlement conference and request that the  
28

1 Court set a date for a settlement conference after June 1, 2003.

2  
3 20. The following issues will also affect the status or management of the case: **None.**

4  
5 DATED this 25<sup>th</sup> of February, 2003

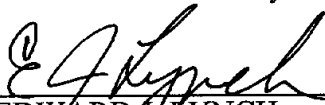
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7   
8 JOHN S. UNPINGCO  
United States District Judge

9  
10 APPROVED AS TO FORM AND CONTENT:

11 For the United States of America:

12  
13 FREDERICK A. BLACK  
United States Attorney

14  
15 BY:

  
EDWARD J. LYNCH  
Special Assistant Attorney General

16  
17 For the Plaintiff:

  
A. ALEXANDER GORMAN, ESQ.  
Law offices of Gorman & Gavras

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**RECEIVED**

FEB 14 2003

DISTRICT COURT OF GUAM  
HAGATNA, GUAM